



U.S. Department of Justice

Washington, D.C. 20530

Cynthia Johnson
Director
Cash Management Policy and Planning Division
Financial Management Service
Department of the Treasury
401 Fourteenth Street, SW, Room 420
Washington, DC 20227

Dear Ms. Johnson:

We have reviewed 31 CFR Part 208, Management of Federal Agency Disbursements; Proposed Rule, which addresses many concerns of the Department of Justice regarding electronic funds transfer (EFT). The regulation provides for agency officials to determine whether a payment or class of payment falls within a particular waiver category. The eight waiver categories presented in the regulation appear to address various EFT implementation concerns we conveyed to Treasury in our implementation plan and in various meetings, workgroups, and conferences. However, the proposed rule raises an issue which should be addressed prior to issuance of the regulation.

Payments Using Non-Government Funds. The proposed rule does not address payments made with non-government funds. For example, the Bureau of Prisons makes payments on behalf of inmates which include: inmate payments to family members who do not have bank accounts; and payments made on behalf of an inmate where the inmate does not have the recipient's banking information. These payments involve personal funds of inmates, not government funds. Consequently, Bureau accounting personnel are unable to comply with the proposed provisions of paragraph 208.7, Agency responsibilities, which requires agencies to collect banking information from the recipients. Many of these payments are made periodically by inmates, and accounting personnel have no direct dealings with the recipient. Therefore, it is impractical to require written certification from recipients who do not have an account with a financial institution. For these reasons, the Department respectfully requests an additional waiver category to address payments involving non-government funds.

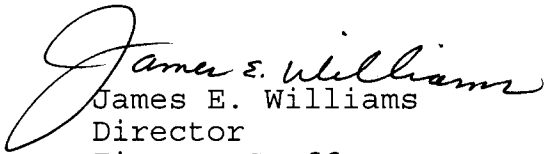
EFT #191

Cynthia Johnson

2

Please contact John McNamara (202-616-5216) or Bob Karas (202-616-5252) with any questions about these comments.

Sincerely,

A handwritten signature in cursive script that reads "James E. Williams". The signature is written in dark ink and is positioned to the left of the printed name and title.

James E. Williams
Director
Finance Staff
Justice Management Division